## DEC 12 2005

PTO/SB/21 (09-Q4)

| Under the Paperwork Reduction                                                                            | n Act of 1995, no berson:                        | U.S<br>s are required to respond to a                     | Patent and                  | Approved to:<br>Trademark Off | use through 07/31/2006, OMB 0651-0031<br>ce; V.S. DEPARTMENT OF COMMERCE<br>ss it displays a valid OMB control number. |
|----------------------------------------------------------------------------------------------------------|--------------------------------------------------|-----------------------------------------------------------|-----------------------------|-------------------------------|------------------------------------------------------------------------------------------------------------------------|
| (                                                                                                        |                                                  | Application Number                                        | 10/087,33                   |                               | SS II VISUIAVS & VAIID OMIS CORUTOI NUMBER                                                                             |
| TRANSMIT                                                                                                 | TAL                                              | Filing Date                                               | March 1,                    | 2002                          |                                                                                                                        |
| FORM [                                                                                                   |                                                  | First Named Inventor                                      | Allan N, V                  | Allan N. Welsa                |                                                                                                                        |
|                                                                                                          |                                                  | Art Unit                                                  | 3622                        |                               |                                                                                                                        |
| (to be used for all correspondenc                                                                        | ė after initiai filing)                          | Examiner Name                                             | Myhre, Je                   | mes W.                        |                                                                                                                        |
| Total Number of Pages in This Sui                                                                        | bmission 13                                      | Attorney Docket Number                                    | 65814-02                    | 8 (MSRK-020)                  | P3)                                                                                                                    |
|                                                                                                          | ENGL                                             | ORUBER                                                    |                             |                               |                                                                                                                        |
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| Fee Transmittel Form                                                                                     | ه لــا                                           | Prawing(s)                                                |                             | ^"                            | er Allowance Communication to TC                                                                                       |
| Fee Attached                                                                                             | ן ו                                              | Icensing-related Papers                                   |                             |                               | peal Communication to Board<br>Appeals and Interferences                                                               |
| Amendment/Reply                                                                                          | p                                                | etition                                                   |                             | ☐ A                           | Deal Communication to TC<br>peal Notice, Brief, Reply Brief)                                                           |
| After Final                                                                                              |                                                  | etition to Convert to a<br>rovisional Application         |                             |                               | prietary Information                                                                                                   |
| Affidavits/déclarati                                                                                     |                                                  | ower of Attorney, Revocation                              | on<br>Addrone               | IF                            | tus Letter                                                                                                             |
| Extension of Time Reques                                                                                 | ·                                                | erminal Disclaimer                                        | Add: 633                    | i i                           | er Enclosure(s) (please Identify                                                                                       |
|                                                                                                          | " IF                                             |                                                           |                             |                               | ow):<br>Search Report (3 pp)                                                                                           |
| Express Abandonment Re                                                                                   |                                                  | equest for Refund                                         |                             | Article (4                    | pp.)                                                                                                                   |
| Information Disclosure Sta                                                                               |                                                  | D, Number of CD(s)                                        |                             |                               |                                                                                                                        |
| Certified Copy of Priority                                                                               | <u> </u>                                         | Landscape Table on C                                      | D                           |                               |                                                                                                                        |
| Document(e)                                                                                              | Remark                                           | <u>s</u>                                                  |                             |                               |                                                                                                                        |
| Reply to Missing Parts/ Incomplete Application                                                           |                                                  |                                                           |                             |                               |                                                                                                                        |
| Reply to Missing P                                                                                       |                                                  |                                                           |                             |                               |                                                                                                                        |
| under 37 CFR 1.52                                                                                        | ? or 1.53                                        |                                                           |                             |                               |                                                                                                                        |
|                                                                                                          |                                                  |                                                           |                             |                               |                                                                                                                        |
| Firm Name                                                                                                | SIGNATURE OF                                     | APPLICANT, ATTO                                           | RNEY, O                     | R AGENT                       |                                                                                                                        |
| McDermott Will                                                                                           | & Emery LLP                                      |                                                           |                             |                               |                                                                                                                        |
| Signature                                                                                                | aule                                             | me luello                                                 |                             |                               |                                                                                                                        |
| Printed name . David M. Mello                                                                            |                                                  |                                                           |                             |                               |                                                                                                                        |
| Date December 12, 2                                                                                      | 005                                              |                                                           | Reg. No.                    | 43,799                        | - · · · · · · · · · · · · · · · · · · ·                                                                                |
|                                                                                                          |                                                  |                                                           |                             |                               |                                                                                                                        |
|                                                                                                          | CERTIFICA                                        | ATE OF TRANSMISS                                          | ON/MAIL                     | ING                           | )                                                                                                                      |
| I hereby certify that this correspond<br>sufficient postage as first class mail<br>the date shown below: | lence is being facsimi<br>I in an envelope addre | ile transmitted to the USPT<br>esset to: Commissioner for | O or deposit<br>Patents, P. | led with the I<br>O. Box 1450 | United States Postal Service with<br>, Alexandria, VA 22313-1450 gn                                                    |
| Signature                                                                                                | Monas                                            | llak                                                      |                             |                               |                                                                                                                        |
| Typed or printed name Deboral                                                                            | h Celeste                                        |                                                           |                             | Date                          | December 12, 2005                                                                                                      |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Tredemark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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DEC 1 2 2005

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re:

Allan N. Weiss

Confirmation No:

5050

Serial No:

10/087,339

Group:

3622

Filed:

March 1, 2002

Examiner:

Myhre, James W.

For:

Proxy Asset System and Method

Customer No.:

23630

Attorney Docket

65814-028 (MSRK-020CP3)

No.

## INFORMATION DISCLOSURE STATEMENT

VIA FACSIMILE: 571-273-8300 Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

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|---------|--------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| This Ir | under :                        | n Disclosure Statement is submitted:<br>37 CFR 1.129(a), or<br>cond submission after Final Rejection)                                                                                                                                                                                                                                         |
| [X]     | under :<br>(Within<br>entry of | 37 CFR 1.97(b), or any one of the following time periods: three months of filing national application (other than a CPA) or date of the national stage in an international application, or before the mailing date of a first office action on the merits in ovisional application, including a CPA, or a Request for Continued Examination). |
| []      | under :                        | 37 CFR 1.97(c) together with either:                                                                                                                                                                                                                                                                                                          |
|         | [ ]                            | a Statement under 37 CFR 1.97(e), as checked below, or                                                                                                                                                                                                                                                                                        |
|         | [ ]<br>(After th               | a \$180.00 fee under 37 CFR 1.17(p), or e 37 CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)                                                                                                                                                                                                 |
| []      | under 3                        | 37 CFR 1.97(d) together with:                                                                                                                                                                                                                                                                                                                 |
|         | []                             | a Statement under 37 CFR 1.97(e), as checked below, and                                                                                                                                                                                                                                                                                       |
|         | [ ]<br>(Filed af               | a \$180.00 fee under 37 CFR 1.17(p), or ter final action or notice of allowance, whichever occurs first, but on or before payment of the issue fee)                                                                                                                                                                                           |
| [ ]     |                                | 37 CFR 1.97(i): cant requests that the IDS and cited reference(s) be placed in the application filewrapper.                                                                                                                                                                                                                                   |

BST99 1484258-1,065814.0028

(Filed after payment of issue fee)

Attorney Docket No: 10/087,339

| Stateme                       | ent Unde                                                                                                                                                                                                                                                                       | er 37 CF                            | R 1.97(e)                                                                        |                                                                                                                                                              |                                                                                           |  |  |
|-------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|----------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------|--|--|
| []                            | Each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or |                                     |                                                                                  |                                                                                                                                                              |                                                                                           |  |  |
| [ ]                           | common<br>knowled<br>in the i                                                                                                                                                                                                                                                  | unication<br>edge of t<br>informati | from a foreign patent on<br>the undersigned, after ma<br>on disclosure statement | s Information Disclosure Sta<br>ffice in a counterpart foreign<br>king reasonable inquiry, no<br>was known to any individua<br>ng of this Information Disclo | application, and, to the item of information contained all designated in 37 CFR 1.56(c)   |  |  |
| Stateme                       | ent Unde                                                                                                                                                                                                                                                                       | er 37 CFI                           | <u>R 1.704(d)</u> (Patent Tern<br>App<br>after                                   | n Adjustment)<br>lies to original applications (<br>May 29, 2000                                                                                             | other than design) filed on or                                                            |  |  |
| []                            | commu<br>was no                                                                                                                                                                                                                                                                | inication<br>t receive              | from a foreign patent of                                                         | gnated in 37 C.F.R. § 1.56(c                                                                                                                                 | tatement was cited in a<br>stion and this communication<br>more than thirty days prior to |  |  |
| [X]                           | Enclos                                                                                                                                                                                                                                                                         | ed herew                            | rith is form PTO-1449:                                                           |                                                                                                                                                              |                                                                                           |  |  |
|                               | [X]                                                                                                                                                                                                                                                                            | Copies<br>marke                     | s of the cited references :<br>d with an "*" were cited                          | are enclosed except US pate<br>in an information disclosure                                                                                                  | nt references. References statement previously filed.                                     |  |  |
|                               | []                                                                                                                                                                                                                                                                             | which                               | nces cited were entered<br>priority under 35 U.S.C<br>cited references.]         | in prior application, U.S. Ap<br>. 120 is claimed. [The earlie                                                                                               | pplication No. , to<br>r application contains copies                                      |  |  |
|                               | [X]                                                                                                                                                                                                                                                                            |                                     | ited references were cite<br>application.                                        | d in the enclosed European S                                                                                                                                 | Search Report in a counterpart                                                            |  |  |
|                               | []                                                                                                                                                                                                                                                                             |                                     | oncise explanation" requ<br>37 CFR 1.98(a)(3) is sat                             | virement (non-English refere<br>isfied by:                                                                                                                   | ences) for reference(s) [ ]                                                               |  |  |
|                               |                                                                                                                                                                                                                                                                                | []                                  | the explanation provide                                                          | led on the attached sheet.                                                                                                                                   |                                                                                           |  |  |
|                               |                                                                                                                                                                                                                                                                                | []                                  | the explanation provid                                                           | led in the Specification.                                                                                                                                    |                                                                                           |  |  |
|                               |                                                                                                                                                                                                                                                                                | []                                  | submission of the enc                                                            | losed International Search R                                                                                                                                 | eport.                                                                                    |  |  |
|                               |                                                                                                                                                                                                                                                                                | []                                  | submission of the enc<br>and/or foreign Office                                   | losed English-language vers<br>Action.                                                                                                                       | ion of a foreign Search Report                                                            |  |  |
|                               |                                                                                                                                                                                                                                                                                | []                                  | the enclosed English l                                                           | anguage abstract.                                                                                                                                            |                                                                                           |  |  |
| [ ]<br>Examiner's<br>Initials | Applica                                                                                                                                                                                                                                                                        | ant reque                           | sts that the following no                                                        | n-published pending applica                                                                                                                                  | ations be considered:                                                                     |  |  |
|                               |                                                                                                                                                                                                                                                                                | U.S. P                              | atent Application No. [                                                          | ], by [inventor(s)], filed [                                                                                                                                 | ], Docket No.: [ ]                                                                        |  |  |
|                               |                                                                                                                                                                                                                                                                                | U.S. P                              | atent Application No. [                                                          | ], by [inventor(s)], filed [                                                                                                                                 | ], Docket No.: [ ]                                                                        |  |  |
|                               |                                                                                                                                                                                                                                                                                |                                     |                                                                                  |                                                                                                                                                              |                                                                                           |  |  |
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Page 2 of 3

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|                             | -                                            | U.S. Patent Application No. [                                                                                                                                                                    | ], by [inventor(s)], filed [                                                                                                          | ], Docket No.: [ ]                               |
|-----------------------------|----------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------|
|                             |                                              | Examiner                                                                                                                                                                                         | Date                                                                                                                                  |                                                  |
|                             | []                                           | A copy of each above-cited appl                                                                                                                                                                  | lication, including the curre                                                                                                         | ent claims, is enclosed.                         |
|                             | []                                           | A copy of each above-cited appl<br>those entered in prior application<br>35 U.S.C. 120 is claimed.                                                                                               |                                                                                                                                       | ent claims, is enclosed,<br>], to which priority |
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28 State Street Boston, MA 02109

Telephone: 617-535-4037 Facsimile: 617-535-3800

Dated: December 12, 2005

of 2

Sheet 1

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Attorney Docket Number | 65814-028 (MSRK-020CP3)

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|----------------------------------------------------------------------|----------------------|-----------------------------------------------|--|
| Substitute for form 1449/PTO                                         | Complete if Known    |                                               |  |
|                                                                      | Application Number   | 10/087,339                                    |  |
| INFORMATION DISCLOSURE                                               | Filing Date          | March 1, 2002                                 |  |
|                                                                      | First Named Inventor | Allan N. Weiss                                |  |
| STATEMENT BY APPLICANT                                               | Art Unit             | 3622                                          |  |
| (Use as many sheets as necessary)                                    | Examiner Name        | Myhre, James W.                               |  |

U. S. PATENT DOCUMENTS ublication Date Name of Patentee of Cite No.1 Document Number Pagas, Columns, Lines, Where Initiats\* MM-DD-YYYY Applicant of Cited Document Relevant Passages or Relevant Figures Appear Number-Kind Code<sup>2 (I know)</sup> <sup>US-</sup> 4,597,046 06-24-1986 Musmanno et al <sup>US-</sup> 5,126,936 06-30-1992 Champion et al US- 4,953,085 08-28-1990 Atkins et al <sup>U8-</sup> 5,262,942 11-16-1993 Earle et al US-US-HR. US-ÜŚ. US-US-ÜS-US-US-HS. US-US-US-

|               |              | FOREIG                                                                           | N PATENT DOCU       | MENTS                                              |                                                   |          |
|---------------|--------------|----------------------------------------------------------------------------------|---------------------|----------------------------------------------------|---------------------------------------------------|----------|
| Examiner Cite | Cite<br>No.1 | Foreign Patent Document                                                          | Publication<br>Date | Name of Patentee or<br>Applicant of Cited Document | Pages, Columns, Lines,<br>Where Relevent Passages |          |
|               |              | Country Code <sup>2</sup> "Number <sup>4</sup> "Kind Code <sup>8</sup> (# known) | MM-DD-YYYY          |                                                    | Or Relevant Figures Appear                        | T°       |
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| Examiner   | ı. | Date        |   |
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\*EXAMINER: Initial if reference considered, whether or not cliation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. Applicant's unique cliation designation number (optional). 3 See Kinds Codes of USPTO Patent Documents at <a href="https://www.uspto.gov">www.uspto.gov</a> or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emparor must precede the serial number of the patent document. 4 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. 4 Applicant is to place a check mark here if English language Translation is attached.

Translation is attached.
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|-----------------------------------|----------|----------|------------------------|-------------------------|--|--|
|                                   |          |          | Application Number     | 10/087,339              |  |  |
| INFORMAT                          | TION DIS | CLOSURE  | Filing Date            | March 1, 2002           |  |  |
| STATEME                           | NT BY A  | PPLICANT | First Named Inventor   | Allan N. Weiss          |  |  |
| 71100 000                         |          |          | Art Unit               | 3622                    |  |  |
| (Use as many sheets as necessary) |          |          | Examiner Name          | Myhre, James W.         |  |  |
| Sheet 2 of 2                      |          |          | Attorney Docket Number | 65814-028 (MSRK-020CP3) |  |  |

|                                        |              | NON PATENT LITERATURE DOCUMENTS                                                                                                                                                                                                                                 |    |
|----------------------------------------|--------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|
| Examiner<br>Initials*                  | Cite<br>No.1 | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T² |
|                                        |              | STONE, Amy, "All-in-one Accounts Look Even More Appetizing", XP-002957310, Business Week, No. 3396, October 31, 1994 (pp. 1-4).                                                                                                                                 |    |
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| Examiner     |                                                                                       | Date                   |                                      |
|--------------|---------------------------------------------------------------------------------------|------------------------|--------------------------------------|
| Signature    |                                                                                       | Considered             |                                      |
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1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.

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